

**REMARKS**

The Applicant has discovered an inadvertent clerical error in the English language translation of the corresponding Japanese language PCT application (the present application is a continuation-in-part of PCT Application No. PCT/JP02/10937, filed on October 22, 2002, as recited in the first paragraph of the present specification).

It is to be noted that a Preliminary Amendment incorporating all prior applications (Japanese and PCT) was filed with this application on April 20, 2004. Having incorporated these cases by reference, basis exists to correct the wording in the U.S. CIP application.

The appropriate amendment has been made herein to the fifth paragraph on page 21 of the specification. In support thereof, the Applicant hereby submits an executed Translator's Declaration which shows by underlining the Japanese words on page 16, line 5 and how these words should be recited in English on page 21 of the specification. The correction of the translation occurs at page 21, lines 12-15.

In addition, also submitted herewith is a Supplemental Declaration executed by the inventors which acknowledges the amended text as presented herein.

In view of the above amendments and remarks, entry of the correction on page 21, lines 12-15 is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Raymond C. Stewart (Reg. No. 21,066) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: September 28, 2006

Respectfully submitted,

By 

Raymond C. Stewart

Registration No.: 21,066

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachments:

Verification of Translation

Supplemental Declaration

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Akira KUBO et al.

Application No.: 10/827,294

Confirmation No.: 2590

Filed: April 20, 2004

Art Unit: N/A

For: 4-IMIDAZOLIN-2-ONE COMPOUNDS

Examiner: Not Yet Assigned

**VERIFICATION OF TRANSLATION**

The undersigned, Toshio Shimizu, hereby declares the following:

That I am knowledgeable in the Japanese and English languages.

That I have reviewed page 16, lines 5-7 of the Japanese language text of PCT/JP02/10937 which corresponds to page 21, lines 12-15 of the English language CIP specification, and

That I verify that the attached document is an accurate translation thereof.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. Further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

August 10, 2006  
Date

Toshio Shimizu  
Toshio SHIMIZU

「シクロアルカン」としては、例えば $C_3 \sim C_8$ シクロアルカンが挙げられ、好ましくは $C_5 \sim C_7$ シクロアルカンが挙げられる。

「ハロゲン原子」としては、フッ素原子、塩素原子、臭素原子、ヨウ素原子等が挙げられ、好ましくはフッ素原子、塩素原子が挙げられる。

- 5 「複素環式基」としては、例えば、一部または全部が飽和していてもよい、窒素原子、酸素原子および硫黄原子から選ばれる1～3個の異項原子を含む、単環性、二環性または三環性の複素環式基が挙げられる。好ましくは、5または6員環の単環性の複素環式基が挙げられ、具体的には、フリル、テトラヒドロフリル、テトラヒドロピラニル、チエニル、チアゾリル、イソチアゾリル、  
10 オキサゾリル、イソオキサゾリル、オキサジアゾリル、テトラゾリル、ピロリル、ピロリジニル、ピロリニル、イミダゾリジニル、ピラゾリジニル、ピリジニル、ピリダジニル、ピリミジニル、ピラジニル、トリアジニル、ピペリジニル、ピラゾリル、ピペラジニル、モルホリニル、イミダゾリル、トリアゾリル、イミダゾリニル、ピラゾリニル等が挙げられる。
- 15 「単環性または二環性芳香族複素環」としては、例えば、窒素原子、酸素原子および硫黄原子から選ばれる1～3個の異項原子を含む単環性または二環性芳香族複素環が挙げられる。また、「単環性芳香族複素環」としては、例えば、窒素原子、酸素原子および硫黄原子から選ばれる1～3個の異項原子を含む単環性芳香族複素環が挙げられ、例えば、5または6員の単環性芳香族複素環が  
20 挙げられる。単環性および二環性芳香族複素環の具体例としては、チオフェン、フラン、フラザン、ピロール、イミダゾール、ピラゾール、チアゾール、イソチアゾール、オキサゾール、イソキサゾール、オキサジアゾール、ピリジン、ピリダジン、ピリミジン、ピラジン、トリアジン、キナゾリン、イソキノリン、フタラジン、ナフチリジン、キナゾリン、キノリン、クロメン、インドリジン、  
25 イソインドール、インドール、プリン、ベンゾフラン、ベンゾチオフェン、等が挙げられる。好ましい単環性芳香族複素環としては、チオフェン、フランが挙げられる。

化合物 [I] における環B上の置換基または化合物 [I a] における環A上の置換基が「置換されてもよいアルキル」である場合、該アルキル上の置換基

"An alkanoyl" is exemplified by a straight or branched chain C<sub>2</sub>-C<sub>7</sub> alkanoyl, and specifically, acetyl, propionyl, butyryl, isobutyryl, pentanoyl, hexanoyl, etc. Preferred is a C<sub>2</sub>-C<sub>5</sub> alkanoyl.

5 "A cycloalkyl" is exemplified by a C<sub>3</sub>-C<sub>8</sub> cycloalkyl, and preferred is a C<sub>3</sub>-C<sub>6</sub> cycloalkyl.

"A cycloalkane" is exemplified by a C<sub>3</sub>-C<sub>8</sub> cycloalkane, and preferred is a C<sub>5</sub>-C<sub>7</sub> cycloalkane.

"A halogen atom" is exemplified by fluorine atom, chlorine atom, bromine atom, iodine atom, and preferred are fluorine atom and chlorine atom.

"A heterocyclic group" is exemplified by a [partially or completely saturated] monocyclic, bicyclic or tricyclic heterocyclic group containing one to three heteroatoms selected from nitrogen atom, oxygen atom, and sulfur atom, a part or whole portion of which may be saturated. Preferred is a 5- or 6-membered monocyclic heterocyclic group, and specific examples are furyl, tetrahydrofuryl, tetrahydropyranyl, tetrahydrothiapyranyl, thienyl, tetrahydrothienyl, thiazolyl, isothiazolyl, tetrahydroisothiazolyl, oxazolyl, isoxazolyl, oxadiazolyl, tetrazolyl, pyrrolyl, pyrrolidinyl, pyrrolinyl, imidazolidinyl, imidazolinyl, pyrazolidinyl, pyridyl, pyridazinyl, pyrimidinyl, hexahydropyrimidinyl, pyrazinyl, triazinyl, piperidinyl, pyrazolyl, piperazinyl, morpholinyl, dioxanyl, imidazolyl, triazolyl, imidazolinyl, pyrazolinyl, thiazinyl, tetrahydrothiazinyl, etc.

"A monocyclic or bicyclic aromatic heterocycle" is exemplified by a monocyclic or bicyclic aromatic heterocycle containing 1 to 3 heteroatoms selected from nitrogen atom, oxygen atom, and sulfur atom. Additionally, "monocyclic aromatic heterocycle" is exemplified by a monocyclic aromatic heterocycle containing 1 to 3 heteroatoms selected from nitrogen atom, oxygen atom, and sulfur atom, for example, 5- or 6-membered monocyclic aromatic heterocycle. Specific examples for the monocyclic and bicyclic aromatic heterocycle include thiophene, furan, furazane, pyrrole, imidazole, pyrazole, thiazole, isothiazole, oxazole, isoxazole,

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING**SUPPLEMENTAL  
COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT AND DESIGN APPLICATIONS**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title: 4-IMIDAZOLIN-2-ONE COMPOUNDS

the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Fill in Appropriate Information - The specification was filed on 04/20/2004 as United States Application Number 10/827,294 ;  
and amended on \_\_\_\_\_ (if applicable) and/or

For Use Without Specification Attached: the specification was filed on \_\_\_\_\_ as PCT International Application Number \_\_\_\_\_ ;  
and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority Information (if appropriate)			Priority Claimed	
<u>2001-324029</u>	<u>JAPAN</u>	<u>10/22/2001</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Month/Day/Year Filed)	Yes	No
<u>2002-263680</u>	<u>JAPAN</u>	<u>09/10/2002</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Month/Day/Year Filed)	Yes	No
<u>2003-116076</u>	<u>JAPAN</u>	<u>04/21/2003</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Month/Day/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Month/Day/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional Application(s): (if any)	
<u>_____</u>	<u>_____</u>
(Application Number)	(Filing Date)
<u>_____</u>	<u>_____</u>
(Application Number)	(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested Information (if appropriate)	Country	Application Number	Date of Filing (Month/Day/Year)
_____	_____	_____	_____
_____	_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S. Application(s): (if any)	PCT/JP02/10937	10/22/2002	Now abandoned
	(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
	_____	_____	_____
	(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

Attorney Docket No. 0283-0192PUS1

I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

**CUSTOMER NO. 02292; (BIRCH, STEWART, KOLASCH & BIRCH, LLP)**

Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:  
YOU MUST  
COMPLETE  
THE  
FOLLOWING:



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First  
or Sole Inventor:  
Insert Name of  
Inventor →  
Insert Date This  
Document is Signed

Insert Residence

Insert Post Office  
Address →

Full Name of Second  
Inventor, if any:  
see above

Full Name of Third  
Inventor, if any:  
see above

Full Name of Fourth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME Akira KUBO	INVENTOR'S SIGNATURE <i>Akira Kubo</i>	DATE* 09/21/2006
Residence (City, State & Country) Osaka-shi, Osaka, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) 1-30-1001, Katamachi 2-chome, Miyakojima-ku, Osaka-shi, Osaka 534-0025 JAPAN		
GIVEN NAME/FAMILY NAME Ritsuo IMASHIRO	INVENTOR'S SIGNATURE <i>Ritsuo Imashiro</i>	DATE* 09/21/2006
Residence (City, State & Country) Takatsuki-shi, Osaka, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) Twincourt Takatsuki 110, 41-1, Akaoji-cho, Takatsuki-shi, Osaka 569-1146 JAPAN		
GIVEN NAME/FAMILY NAME Hiroaki SAKURAI	INVENTOR'S SIGNATURE <i>Hiroaki Sakurai</i>	DATE* 09/21/2006
Residence (City, State & Country) Toyama-shi, Toyama, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) 5518-12, Gofuku, Toyama-shi, Toyama 930-0883 JAPAN		
GIVEN NAME/FAMILY NAME Hidetaka MIYOSHI	INVENTOR'S SIGNATURE <i>Hidetaka Miyoshi</i>	DATE* 09/21/2006
Residence (City, State & Country) Osaka-shi, Osaka, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) 1-16, Nonaka-kita 2-chome, Yodogawa-ku, Osaka-shi, Osaka 532-0034 JAPAN		

Full Name of Fifth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME Akihito OGASAWARA	INVENTOR'S SIGNATURE <i>Akihito Ogasawara</i>	DATE* 09/21/2006
Residence (City, State & Country) Toda-shi, Saitama, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) 1635-1-405 Niizo, Toda-shi, Saitama 335-0025 Japan		

Full Name of Sixth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME Hajime HIRAMATSU	INVENTOR'S SIGNATURE <i>Hajime Hiramatsu</i>	DATE* 09/21/2006
Residence (City, State & Country) Ashiya-shi, Hyogo, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) 8-18-301, Nangu-cho, Ashiya-shi, Hyogo 659-0024 JAPAN		

Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME Tatsuo NAKAJIMA	INVENTOR'S SIGNATURE <i>Tatsuo Nakajima</i>	DATE* 09/21/2006
Residence (City, State & Country) Osaka-shi, Osaka, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) 9-18-405 Mitejima 1-chome, Nishiyodogawa-ku, Osaka-shi, Osaka 555-0012 JAPAN		

Full Name of Eighth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME Tetsu NAKANE	INVENTOR'S SIGNATURE <i>Tetsu Nakane</i>	DATE* 09/21/2006
Residence (City, State & Country) Kyotanabe-shi, Kyoto, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) 3-C-415, Yamate-higashi 2-chome, Kyotanabe-shi, Kyoto 610-0357 JAPAN		

Full Name of Ninth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP
MAILING ADDRESS (Complete Street Address including City, State & Country)		

Full Name of Tenth  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP
MAILING ADDRESS (Complete Street Address including City, State & Country)		

Full Name of  
Eleventh  
Inventor, if any:  
see above

GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)		CITIZENSHIP
MAILING ADDRESS (Complete Street Address including City, State & Country)		

\*DATE OF SIGNATURE